HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 5329 of 2007

PETITIONER		Krishna Kumar Sahu son of Shri Bisram Sahu, aged about 47 years, resident of village Manohara, Post Hatbadh, Police Station Simga, District Raipur(CG). Presently residing at village Chiurwada, Block Chhindgarh, District Dantewada(CG)
		Versus
RESPONDENTS	1.	State of Chhattisgarh, Through: the The Secretary Department of Tribal Welfare, DKS Bhawan, Raipur, (CG)
	2.	The Commissioner, Tribal Development, Ravishankar University Campus Raipur (CG)
	3.	The Collector, District South Bastar Dantewada (CG)
	4.	The Assistant Commissioner, Tribal Development, Dantewada, District Dantewada(CG)
	5.	The Block Education Officer, Tribal Development, Chhindgarh, District Dantewada(CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri A.K. Shukla, counsel for the petitioner.

Shri A.S. Kachhawaha, Government Advocate for the State/respondents on advance copy

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ORAL ORDER
(17.09.2007)

SUNIL KUMAR SINHA, J.

Heard.

Learned counsel for the petitioner submits that on account of alleged default made by the petitioner, his 5 annual increments with non-cumulative effect were withheld by the disciplinary authority vide order dated 1.12.2006(Annexure P-1). Against the said order, the petitioner has filed a departmental appeal before the Commissioner Tribal Development (respondent No.2) on 18.6.2007 (Annexure P-8), but the appeal has not been disposed so far, therefore, the petitioner has to file this writ petition before the High Court.

Considering the facts and circumstances of the case, I am not inclined to interfere in this case at this stage, when an appeal is still pending before the appellate authority and I deem it proper that a direction should be issued to the appellate authority to dispose of the departmental appeal filed by the petitioner.

Accordingly, this petition is disposed of at this stage with a direction to the appellate authority(respondent No.2) to dispose of the pending appeal filed by the petitioner on 18.6.2007(Annexure P-8) within a period of 6 weeks from the date of production of certified copy of this order along with a copy of writ petition before the appellate authority. The decision shall be communicated to the petitioner in accordance with law.

The petition stands finally disposed of.

Sd/-
Sunil Kumar Sinha
Judge

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